

## THE DAILY BEE.

E. ROSEWATER, Editor.

PUBLISHED EVERY MORNING.

## OFFICIAL PAPER OF THE CITY

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The Bee Publishing Company, Proprietors

## SWORN STATEMENT OF CIRCULATION.

State of Nebraska,  
County of Douglas, ss.  
I, N. P. Felt, business manager of The Bee Publishing Company, do hereby certify that the actual circulation of The Daily Bee for the week ending March 28, 1892, was as follows:  
Sunday, March 28, 1892, 28,000  
Monday, March 29, 1892, 23,000  
Tuesday, March 30, 1892, 23,000  
Wednesday, March 31, 1892, 23,000  
Thursday, March 31, 1892, 23,000  
Friday, March 31, 1892, 23,000  
Saturday, March 31, 1892, 23,000  
Average, 23,000  
Sworn to before me and subscribed in my presence this 28th day of March, A. D. 1892.  
E. P. Felt,  
Notary Public.

Average circulation for February, 24,510.

The metal in the standard silver dollar has now shrunk in its market value to a fraction below 66 cents.

WHEN the clock strikes twelve to night the Iowa legislature will close its session and silently stalk away.

BLAND and Crisp may yet be forced to settle the question of veracity between them by an appeal to the code duello.

SPRINGER's free wool bill will probably enjoy about as much popularity as the Bland silver bill. This is a do-nothing congress.

JUNE 1 is now mentioned as the date of the probable adjournment of congress. Fortunately for the country, June 1 is only about two months off.

The secretaries of the State Board of Transportation still maintain a masterly inactivity, but their pay goes right on at the rate of \$2,000 a year.

The chairman of the committee on janitors of the Chicago Board of Education has been indicted for soliciting a bribe. This is decidedly suggestive.

REPUBLICAN clubs should be formed in every city, town and precinct, in the state without delay. The next campaign means business from start to finish.

SENATOR STEWART will now, in all probability, push his silver bill to a vote and force Hill, Gorman and Bruce to show their hand whether it passes or not.

MR. BLAND probably feels that there are moments when one should be alone and the present is one of them. There is nothing in parliamentary rules anywhere equal to the emergency.

CLAUS SPECKLES is not a philanthropist. He is a sugar king for the money there is in the dignity. Consequently no one is surprised to hear that he has accepted advantageous terms from the sugar combine.

THE police officer who was assaulted and shot at by burglars exhibited good nerve, but his services will be more highly appreciated hereafter if he will manage to get the drop on the burglars instead of giving them that advantage over himself.

ATTORNEYS whose avarice leads them to extort unconscionable fees or to engage in sharp practice to acquire real estate, are beginning to understand that Judge Scott will make the temperature very torrid in their vicinity. The latest dread Scott decision catches a Burt county attorney in a very disgraceful transaction and burns a hole clean through him.

THE determination of the assessors to list all corporation property in the ward where it is situated, to assess the Belt Line railway as a local corporation, and to include all property not actually used for churches, charitable and benevolent institutions, will be approved by all good citizens. The prospects are good for a thoroughly honest and efficient assessment of all taxable property.

THIS Warspite is reported as a very formidable ship which could make scrap iron of our heaviest cruisers. We are also advised that England has a dozen such men-of-war within easy reach of Boring sea. Nevertheless, it is observed that Lord Salisbury has seen a way for the prompt renewal of the modus vivendi, and poaching sealers are advised that they go into the disputed sea at their own risk.

THE Real Estate Owners association will be idle all summer if it proposes to depend upon its circulars to obtain funds for prosecuting the good work it wishes to undertake. Circular letters are all right in their way, but not one man in 100 will give up cash in response to a printed request. A live secretary or assistant secretary making a personal canvass will do more in a week than circulars can accomplish in a year.

FREQUENT burglaries and other depredations are conclusive proof that a round-up of all the toughs, vagrants and disreputables will be good policy. If the police force is not large enough to make a hundred citizens. Nothing has ever had so healthy an effect upon the viciously disposed of the city heretofore as a general jailing of all classes of persons who have no visible means of support.

## PARTISAN INJUSTICE.

It was to be expected that the English government organs would ascribe the position taken by President Harrison in the Boring sea controversy to political motives. Being on the wrong side of the argument and unable to controvert the sound and logical contention of this government, it was entirely natural that the British Tory newspapers should endeavor to belittle our position by charging that it was prompted by considerations of party expediency, thereby implying insincerity on the part of the president. This is perhaps pardonable in the English press, and particularly that portion of it which represents the views and policy of the government.

But it was not to be expected that this assumption of the English government organs would find authority and approval from any reputable American newspapers, and it is a notable illustration of the intensity of partisan hostility that it has done so. The democratic and mugwump press have not hesitated to assure the Tory newspapers of England that they were right, in believing that the president was seeking to make political capital out of the controversy for use in the presidential canvass. They have charged that he was endeavoring to foment international trouble for party or personal ends, that his aim was to work up an excitement over this matter which would arouse national pride and obscure the legitimate issues of the domestic political contest. The course of the administration in insisting upon a proper and adequate recognition of the rights claimed by the United States, involving the preservation of a great industry of value to all mankind and imperiled by the piratical operations of Canadian poachers, is declared by the partisan opponents of the president to be a "jingo" policy, dictated by a political expediency.

The utter injustice of this charge, to say nothing of the complete lack of patriotic feeling which it implies, must be conceded by every fair-minded man who has carefully followed the progress of the Boring sea controversy under the Harrison administration. Instead of seeking to foment trouble, the concessions made in order to avoid trouble have been made chiefly by this government.

In arranging the terms of arbitration nearly everything asked by the British government was allowed. Twice at least, after it was supposed that everything had been settled, Lord Salisbury proposed changes, affecting more or less radically the original arrangement, which were accepted by the administration. Although the importance of time was felt to be urgent, the State department was most indulgent of the tardy course of the British foreign office and in every way, in short, this government manifested the most earnest desire to arrange for a peaceable and honorable adjustment of the controversy.

After the two governments had settled the question of arbitration, and the treaty had been sent to the senate, Lord Salisbury decided not to renew the agreement of last year for the protection of the seal. This was a very vital matter, and the surprise and disappointment of the administration at the decision was natural and reasonable. It had expected a renewal of the modus vivendi as an essential condition to arbitration. Lord Salisbury was asked, in diplomatic language as free from the "jingo" spirit as it was possible to frame it, to reconsider his decision. He declined in very positive terms to do so, and thereupon this government replied that it must insist upon its demand for the protection of the seal and if Great Britain would not join it in giving the necessary protection it would assume the task alone.

The result has been most amply vindicated the firm, judicious and patriotic course of the administration. The last note of Lord Salisbury is regarded as a concession of the demand of this government, the completeness of which is not materially affected by the conditions which he proposes, and which it is understood are satisfactory to the administration. The partisan critics of the president are discomfited and the outcome, as now promised, is a diplomatic victory for the administration of which the country should be proud.

## A CITY ELECTRICIAN.

The ordinance creating the office of city electrician should be enacted without delay. There is a sense of uneasiness all over the city regarding the electric wiring that has been done heretofore. Much of it has been carelessly placed and the best business blocks in the city are in danger of fire from electric sources. The business of lighting by electricity is comparatively new and the multiplied uses to which electricity is applied have complicated the problem of how to deal with this new element of danger very greatly in all cities.

The consensus of opinion is that the mechanical work of placing wires should be performed under expert supervision, just as plumbing must be done by men who have given proof of their ability as plumbers, except that the rule should go further. Not a wire should be located in a private dwelling or business block, or upon the streets or alleys, without a permit from the electrician, who should be required to make tests that will afford a guaranty for the safety of buildings. Thus responsibility for any accident arising from negligence might readily be determined and a healthful restraint be thus placed upon electric contractors and companies.

The inspection of the electric lights may also be placed under his control, though this should by no means be his principal duty. What we want particularly is an expert in electrical engineering who is familiar with the details of electrical machinery. His first duty should be the inspection of all buildings penetrated by electric light wires, to determine whether or not they are so placed as to avoid ordinary risk from fire. He should then familiarize him-

self with the whole electrical wire system of the city. These duties will require an electrician and not a politician.

## FOREIGN CAPITAL IN THE WEST.

An Englishman who is largely interested in English loan and mortgage companies, which have placed \$7,000,000 in western investments, said to the representative of a Denver paper, that English capital prefers the west for investments, but that the confidence of investors had been seriously shaken by adverse legislation and by the apprehension that there would be more of it. He said that the alien land law of Texas had kept millions of foreign capital out of that state, and although it had been declared unconstitutional it will be a long time before Texas will recover from the harm inflicted by the passage of the law. The demands of the alliance in Kansas and other states, he said, had also had the effect to repel foreign capital from investments in the west.

There is not the least reason to doubt the credibility of this testimony. Abundant corroborative evidence could undoubtedly be secured without much difficulty. How seriously this want of confidence on the part of foreign capital has interfered with the material prosperity and progress of the west during the past two or three years can only be a matter of conjecture, but it is not to be doubted that the effect has been harmful, and that the growth of the west must continue to be retarded so long as the conditions which are responsible for the lack of confidence remain.

The attempt to deprive aliens of rights in property, which was done by the Texas law, is not likely to be general, because it is well understood that such laws are repugnant to our treaty obligations, but there are many other ways in which capital may be repelled, and some of these are contemplated in the economic policy of the third party.

No argument ought to be necessary to prove the obvious proposition that it is not sound policy for a new country to drive away capital, and the more encouragement that is offered to foreign capital to invest the greater the probability of reducing and keeping down the rate of interest, since the capital is usually satisfied with a reasonable return where the investment is satisfactory. The people of the west need to give more careful and intelligent study to this subject than they have heretofore done. In order to stimulate development they must invite capital by giving it every necessary assurance of just protection.

## THE TREATY RATIFIED.

The senate has unanimously ratified the Boring sea arbitration treaty, without restrictive conditions. This action clearly indicates that the last note of Lord Salisbury was satisfactory to the administration, and that the conditions upon which he stated that the British government would renew the agreement of last year will be accepted by this government. Until this note was received the general feeling in the senate was that the treaty should be ratified only with the condition that the modus vivendi be renewed, and undoubtedly this is what would have been done had Lord Salisbury persisted in his decision. His concession, however, changed the situation most materially, and the earnest desire of this government to reach a peaceable and honorable settlement of the Boring sea dispute is again manifested in the attitude of the administration and the action of the senate.

This controversy may now be regarded as practically at an end, so far as diplomacy is concerned. There will be some further correspondence relating to the new conditions proposed by the British government, but no difficulty is apprehended in coming to a satisfactory understanding. The United States government having now fully performed its part, it is to be presumed that the British government will lose no time in making good its assurances, and if the controversy shall be submitted to the arbitrators as promptly as possible a settlement may be reached before the sailing season of 1893 comes round. At any rate, all present danger of a more serious conflict over this dispute has passed, and the administration of President Harrison is to be credited with a notable diplomatic victory.

## PURSUING THE WRONG POLICY.

In laying out the paving districts for the present year the council should endeavor to work from the center to the circumference. There are still fifteen or twenty unpaved blocks in the very heart of the city. Douglas, between Sixteenth and Twentieth, and the cross streets west of Sixteenth to Twentieth between Farnam and Dodge are perfect quagmires and the paved thoroughfares that have been the pride of the city are constantly overlaid with the mire that is deposited upon them after every rain storm from the adjacent unpaved streets. This is also true of Park avenue, Georgia avenue and cross streets in the southwestern portion of the city. In a moment this neglect to pave from center to circumference has also made almost impassable the paved streets in the northern portion of the city and made street cleaning and street sweeping almost useless.

The policy of paving by strokes here and there in the outskirts and leaving whole streets unpaved in the population and traffic centers is unbusiness like and destroys the primary object of our pavements, namely, the cleanliness, healthfulness and ease of locomotion. So long as the present policy is pursued we may as well discontinue street cleaning and just bragging about Omaha being the best paved city in the west.

AS MIGHT have been expected the Pullman car bill, which proposed to regulate the rates of fare on sleeping cars, has been defeated by the Iowa legislature. A liberal distribution of Pullman car passes and a deposit of axle grease where the creaking was loudest had the desired effect.

PENNINGTON COUNTY, South Dakota, cannot afford to have the statement of her prosecuting attorney that it is impossible to convict a white man for killing an Indian go unchallenged. Certainly a state or society which would so discriminate between a miserable squaw man and an Indian cannot exist

among the intelligent settlers of Pennington county. The Indians have not forgotten the massacre of a trial accorded the cold-blooded murderers of old Fawcett, but that seems happened when the tribes were hostile and is thus palliated, though not justified. The present case of the murder of an Indian by Whipple is absolutely inexcusable, and the evidence appears to be conclusive against Whipple. South Dakota has suffered enough on account of the Fawcett case. She should force her law officers to prosecute this murderer to the end.

MR. BRYAN's organ in these parts, commenting on the speech of the hand-down statesman from Nebraska, professes to have discovered that the tariff legislation of congress has increased the number of tenant farmers by making agriculture less profitable. Admitting, for the sake of argument only, that the tariff has made farming less profitable, how can any sane man conclude that it increases the number of tenant farmers? Will a shoemaker hire hands to make shoes when he finds it unprofitable to make them with his own hands? The idea is preposterous that a renter can cultivate the land he rents at less cost than the owner of the same land who has no rent to pay. If the Bryan argument were correct the owners of lands would not be able to secure tenants on any condition.

THE deeper the Chicago grand jury digs into the municipal compost the more rotten becomes the mess.

Just Like the Metal.  
Curiously enough when brought to the test the claims of the free silver folks fell off quite 30 per cent.

What Killed Him.  
New York Times.

When Mr. Brand mingles free coinage with tyranny and autocracy he will probably find that his cause is weakened instead of strengthened.

## A Typical Democratic Boss.

Chicago Herald.  
It becomes more and more evident from the sentiment manifested by the democrats of Illinois at their county conventions that they are not going to nominate a man for governor of this state merely because the boss gambler of Chicago says they must.

## A Florida Hope.

Globe-Democrat.  
If all the democrats had the courage of their ignorance that Brand bill would have been sent to the ignominious last week. The fear of the defeat of their national ticket in the coming canvass forced many free coinage men to oppose that measure when it was up.

## A Profit for Profit.

Chicago Times.  
Ben Butler says he wants to see the American flag waving from the north pole. No doubt he does, and from every other pole, stick, city hall, little red schoolhouse and fourth-class portico. Ben has a monopoly of the bunting business and likes to see trade boom.

## A Frenzied Boom.

Detroit Free Press.  
The Alger boom seems to lag, and his home organ is trying to start it by endorsing Harrison's renomination and inviting the friends of all the other candidates to join in the exercises. But it won't do. There are a few men besides Harrison who stand some show of a chance of getting the republican nomination, but General Alger is not one of them.

## Ignorance and Malice.

Chicago News.  
The Tory newspapers of England are vain to believe that the rigorous policy adopted by the president regarding the Boring sea matter is a bid for political favor. They say about the same thing whenever the president of this country signs a bill or holds a reception. In fact, English newspaper writers seem to believe that presidential elections are held in America every fifteen minutes.

## Death of a Noted Editor.

Kansas City Journal.  
For more than twenty years Morrison Macfarland has been prominent character and an important factor in political and general affairs of the rapidly growing west, and to Kansas City he has been a never failing champion and a never tiring friend. His death leaves his place vacant. In whatever he undertook to do he never recognized the possibility of failure so long as physical endurance and time left a straw within his grasp. Consider the possibilities of these characteristics of the man will lead to the ending of his life work with feelings of the sincerest grief. If there are any executors to the rule, they are of those who received but never gave.

At all times his chief pride was his newspaper (the Times). In that were centered his ambitions, his hopes and his career. It is not without warrant to say that his failure to secure the state of business complications, which resulted in the loss of his paper, was in a very great measure responsible for his death. This fact, if nothing else, would account for the feeling of universal sympathy that today pervades this community, where his every influence has been so strongly felt. The world is just to one who has its sympathies, and even enemies are bound to help in the truth when death stands witness.

## ELIOT AND THE MORMONS.

Boston Traveler.  
He certainly owes his college and commonwealth an explanation, if he has one to offer; and if he is prepared to stand by what he said on the occasion referred to we cannot help thinking that his usefulness at Harvard is over.

New York Advertiser.  
By the utterance of a few kindly commonplaces he has doubtless made his way to the hearts of the charitable world that they have ever heard.

New York Sun.  
We think that President Eliot has a certain tendency, not uncommon in New England, to instruct persons who have passed the school age as to their duties; and in his peripatetic through the country he is sometimes a little unfortunate in his choice of subjects.

Buffalo Express.  
President Eliot of Harvard got so wrapped up with generalities about colonies being founded by persecuted religious sects that he let himself compare the Mormons with the pilgrim fathers. Dr. Eliot is like all other megmunks. He has his general theory and if practical, every-day experience doesn't fit it, so much the worse for experience.

Boston News.  
President Eliot has said peculiar things in his life, but none that point so meagrely at insanity as his words at Salt Lake City in which he compared the Mormon migration and settlement to the adventure of the Puritans, with the plain implication that the persecutions suffered by the latter were only on a plane with the necessity the Mormons have been under of complying with the laws of the United States.

Salt Lake Tribune.  
It was not that Prof. Eliot received hospitality from the saints and said kind things of them that any one here objected to his remarks. It was that he went out of his way to say very unkind things of the saints had been put under harsh and unjust restrictions by the government of the United States, and that there are certain laws which are not permitted to the people of this territory;

and he said it in such a way that he carried the idea that, in his desire to today to a certain class here, he was willing to betray his ignorance and to make, if necessary, false statements. All in all he made a precious old mummy of himself, even as he generally does when he gets on a rostrum and opens his mouth.

Philadelphia Ledger.  
President Eliot of Harvard said some liberal things to the Mormons at a meeting in the Mormon temple at Salt Lake City an evening or two ago, and not only among the but not stopped over in New England an agitation is the result. President Eliot's friends aver that what he really said has been exaggerated. Later on he may expect somebody to assert that the Harvard president has concluded to settle down in Salt Lake and embrace Mormonism.

Chicago Inter Ocean.  
President Charles W. Eliot, in defense of his speech in the Mormon temple at Salt Lake, has telegraphed to the Boston Advertiser: "Polygamy is completely abandoned as a doctrine of the Mormon church, and has been made a crime by the vote of Mormons." On this point Eliot is in line with the Salt Lake and in all parts of Utah do not agree with President Eliot, and it must be confessed that a resident of years knows more than a visitor of two days.

Springfield (Mass.) Republican.  
President Eliot of Harvard will begin with pretty speech that he had not made any speech at all to the Salt Lake Mormons, and probably wishes now that he had not stopped over in Utah so badly as he did. The gentiles in Utah are scoffing at him for his eulogy of Mormonism. In Denver they are laughing at him and at home in Cambridge the students and professors of his own college do not disguise their opinion that he has made a bad bull.

## THE NEW APPOINTMENT.

How the States Will Count in the Electoral College.

The following table exhibits the electoral votes of the states under both the old and the new apportionment. The increase in the total vote since 1880 is accounted for to the extent of twenty votes by the creation of the new states of Idaho, Montana, North Dakota, South Dakota, Washington and Wyoming, and as to the remainder by additions of twenty-three votes to the apportionments of states, as follows: Alabama, 1; Arkansas, 1; California, 1; Colorado, 1; Georgia, 1; Illinois, 2; Kansas, 1; Massachusetts, 1; Michigan, 1; Minnesota, 2; Missouri, 1; Nebraska, 2; New Jersey, 1; Oregon, 1; Pennsylvania, 2; Texas, 2; Wisconsin, 1.

States.	1880.	1892.
Alabama	10	11
Arizona	—	3
California	5	9
Colorado	—	3
Connecticut	5	5
Delaware	3	3
Florida	4	4
Georgia	12	12
Idaho	—	3
Illinois	12	12
Indiana	12	12
Iowa	13	13
Kansas	11	11
Kentucky	13	13
Louisiana	8	8
Maine	7	7
Maryland	8	8
Massachusetts	14	15
Michigan	12	13
Minnesota	7	9
Mississippi	10	10
Missouri	16	17
Montana	—	3
Nebraska	11	11
Nevada	—	3
New Hampshire	4	4
New Jersey	12	12
New York	35	36
North Carolina	11	11
North Dakota	—	3
Ohio	23	23
Oklahoma	—	3
Pennsylvania	29	32
Rhode Island	4	4
South Carolina	9	9
South Dakota	—	3
Tennessee	12	12
Texas	12	12
Vermont	4	4
Virginia	12	12
Washington	—	3
West Virginia	6	6
Wisconsin	12	12
Wyoming	—	3
Total	401	444

\*States organized since 1880.

## IDEAL THOUGHTS FOR IDEAL HOURS.

New Orleans Picayune: Souvenir spoons have created quite a stir.

## THE PARSON IN POLITICS.

New York Herald.  
The parson from his pulpit sought to extirpate the sin of drink.

And his soul was filled with rapture at the sight of the great city of New York. And he was in with vigor, and he snote them high and thigh. Till he reached his innocence that victory was nigh.

## Dallas News: When you see a man in a brown study you may know that his goose is cooked.

Boston Courier: A chaplain in a penitentiary never has to exert himself to "hold his audience."

Somerville Journal: The time is almost here when the family man who does not know how to clean carpets will have an opportunity to learn.

## HOW IT WOULD WORK.

Indianapolis Journal.  
The great white cat in Petersburg. The Kaiser in Berlin.

Have had much to do with the ending of his life work with feelings of the sincerest grief. If there are any executors to the rule, they are of those who received but never gave.

Chicago Tribune: Intelligent Foreigner (to parlor car acquaintance)—I am indebted to you, sir, for a most agreeable afternoon, and much political information. You are in public life, I presume?

Disturbed-Looking American—No, sir. I am a lieutenant governor.

Detroit Free Press: The manager of the dime museum was feeling pretty rocky when he let the snake charmer loose. "How are your snakes today?" he inquired by way of salutation.

"How are yours?" she responded pleasantly. "How are yours?" and the manager went out to the flowing hydrant in the back yard and stuck his head under it.

Washington Star: "I don't know," said the good looking policeman, "that I won't have to have some of these ladies arrested for resisting an officer. That's the third one who has refused to let me help her over the crossing."

Harford Journal: The latest fad is to turn the back of the piano away from the wall and towards the room. The piano tuner will now be induced to turn her back to the piano all week.

Philadelphia Times: Many a man who reduces at the probable extermination of trusts in this country feels that his tailor should be willing to help along his country in his own denials.

Entra Gazette: Jason says it is no proof that the horse is not a horse if he cannot remove a bridge trip to Niagara Falls doesn't remove the catarrh.

Yonkers Gazette: "But" is a conjunction, but you have no idea how so thoroughly as what a conjunction is.

## THE WAITER GIRL.

Detroit Tribune.  
Oh, she isn't very pretty. But she has a very nice smile. And you bet your life she's a grity. Rather more than you'd suppose.

She can face the meanest drummer With the utmost coolness and sang froid. And make him think his mamma Should be caring for her boy.

She can silence any kisser In a fraction of a tick. And make him think she's a slicker Than a dollar cake of lard.

She can be as smooth as butter. Or as hard as the brick. She will also be "too stiffer" When a snafu turns her head.

She speaks Chinese and Zulu With fluency and ease. And knows on top of that In a way that's sure to please.

To England's tongue a stranger—With some exceptions rare—She'll make him think she's a dicker In her oral bill of fare.

Though she's careless in her talking, I will gladly overlook. Even selections which are For she stands in with the cook.

## BOYD-THAYER CASE AGAIN

Motion to Reopen the Matter Argued Before the Supreme Court.

## BOTH SIDES THOROUGHLY REVIEWED

At the Conclusion of the Statements of the Attorneys the Motion Was Taken Under Advice—Decision Expected Today.

LINCOLN, Neb., March 29.—[Special Telegram to The Bee.]—The motion of the attorneys representing General Thayer to reopen the Thayer-Boyd case was argued before the supreme court this forenoon. Thayer was represented by Blair and Reese and Governor Boyd by General Cowin. Blair read affidavits of Thayer and himself, as published in The Bee on Sunday, and asked the court to reopen the case and permit Thayer to file a reply to Boyd's answer.

General Cowin made a strong argument in opposition to the motion. He called the attention of the court to the fact that Thayer's demurrer was not an ordinary demurrer, but that it was in fact a prayer for judgment on the pleadings. He stated that the Nebraska court had not only sustained the demurrer, but had entered judgment on the pleadings and issued a writ of *certiorari* on Boyd without giving the latter an opportunity to file an amended answer. General Cowin then reviewed the case from its inception to the day the opinion of the supreme court of the United States was recorded. He maintained that the supreme court of the United States had by a majority of a quorum of the bench established the fact of Governor Boyd's citizenship. Mr. Cowin spoke for over an hour and his argument was both eloquent and complete.

In reply Mr. Blair argued that the decision of the supreme court of the United States in effect decided nothing, that the Nebraska court erred in sustaining Thayer's demurrer. On the question of citizenship he maintained that the supreme court of the United States had not decided the matter, but that the opinion of the other four, thus leaving Judge Loomis of this city also made a brief statement of the motion to reopen the case.

At the conclusion of the arguments Chief Justice Maxwell stated that the motion could be taken under advisement. No decision is looked for before tomorrow.

## Railroad Company Makes Answer.

The attorneys of the B. & M.